

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

09	CURTIS NEAL WELLS,)	CASE NO. C05-0988-TSZ-MAT
10	Petitioner,)	
11	v.)	ORDER TO SHOW CAUSE
12	ROBERT MCKENNA,)	
13	Respondent.)	
14	_____)	

Petitioner has filed a *pro se* petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. Having reviewed the petition, and the balance of the record, the court does hereby find and ORDER as follows:

(1) Petitioner states in his petition that he has not raised in state court any of the three grounds listed in his federal habeas petition (Dkt. #1 at 7, 8, 10). Thus, it appears from the face of the petition that petitioner has not exhausted these claims in state court. In order to present a claim to a federal court for review in a habeas petition, a petitioner must first have presented that claim to the state court. *See* 28 U.S.C. § 2254(b)(1). Accordingly, within 21 days from the date of this Order, petitioner shall SHOW CAUSE why his petition should not be dismissed without prejudice for failure to exhaust.

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01 (2) The Clerk shall send a copy of this Order to petitioner and to the Honorable
02 Thomas S. Zilly.

03 DATED this 7th day of June, 2005.

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05 Mary Alice Theiler
06 United States Magistrate Judge